

REMARKS

Claims 1-20 are pending. By this amendment, claims 1, 10, 11 and 17-19 are amended.

The Office Action indicates that the Information Disclosure Statement filed December 4, 2003 fails to comply with 37 CFR 1.98 (a)(2). The Office has apparently placed an Information Disclosure Statement from another application in this file. The PTO-1449 attached to the Office Action was not filed in this application, and it is requested that it be so noted. Instead, a different Information Disclosure Statement was filed submitting JP A 2000-311294. A copy of that Information Disclosure Statement is attached, along with the date-stamped post card, for consideration by the Examiner.

The Office Action indicates that certain language in the abstract should be avoided. Attached hereto is a new abstract. Approval is requested.

The Office Action rejects claims 1-5 and 17 under 35 USC 103 over Yu (US 2003/0125846) in view of Breed (US 2002/0198632), rejects claim 6-10, 12-16, 18 and 20 under 35 USC 103 over Yu in view of Breed, and further in view of Taylor ((US 2003/0169185), and rejects claims 11 and 19 under 35 USC 103 over Breed in view of Yu. These rejections are respectfully traversed.

Yu discloses that an information controller 800 detects a specific vehicle control value to be transmitted in accordance with a current time, an operator identifier, or a vehicle category (0051), and further instead of the information controller, a vehicle device 1000 may transmit the specific vehicle control value to another vehicle (0057). However, Yu does not disclose a selection device that selects pieces of information to be transmitted in accordance with an emergency level which is determined in accordance with a relationship between the vehicle and the foreign moving object, as required by claim 1, 11, 17 and 19 of the application. Breed does not solve this deficiency of Yu. Breed merely discloses that when an event occurs such as an accident, a certain vehicle transmits this information to other vehicles. In contrast, the present

invention, in an emergency, the transmission of all pieces of information that are transmitted when circumstances are normal is avoided, and the apparatus instead selects only some information that is needed due to the emergency to transmit. Further, Taylor does not solve this deficiency. Taylor merely teaches determining an emergency level with the foreign object to be communicated with.

For these reasons, claims 1, 11, 17 and 19, and all claims dependent therefrom, would not have been obvious over the applied references. Withdrawal of the rejections is requested.

For the above reasons, it is submitted that the application is in condition for allowance. Prompt consideration and allowance are solicited.

The Office is authorized to charge any additional fees under 37 C.F.R. § 1.16, § 1.17, or § 1.136, or credit of any overpayment, to Kenyon & Kenyon Deposit Account No. 11-0600.

Respectfully submitted,



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